

# HOUSE . . . . . No. 906

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By Mr. Kujawski of Webster, petition of Paul Kujawski relative to the layoff of assistant clerk magistrates. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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AN ACT RELATIVE TO THE LAYOFF OF ASSISTANT CLERK MAGISTRATES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 10 of chapter 218, as appearing in the  
2 2000 Official Edition, is hereby amended by inserting after the  
3 word “211B.”, in line 105 the following words:—

4 Any assistant clerk magistrate who is separated from the pay-  
5 roll due solely to insufficient appropriations to the budget item  
6 funding his position shall be given 30 days’ advance notice of  
7 layoff and shall retain his appointment for a period not to exceed  
8 2 years from the date of such separation. During such 2 year  
9 period he shall be entitled to (a) prompt notice that sufficient  
10 funding in such budget item has accrued, whether by savings, sub-  
11 sequent appropriations, or otherwise, to restore him to the payroll,  
12 and (b) return to his position within 30 days of such notice.

1 SECTION 2. Section 53 of chapter 218, as appearing in the  
2 2000 Official Edition, is hereby amended by inserting after the  
3 words “two hundred and eleven B”, in line 38, the following  
4 words:—

5 Any assistant clerk magistrate who is separated from the pay-  
6 roll due solely to insufficient appropriations to the budget item  
7 funding his position shall be given 30 days’ advance notice of  
8 layoff and shall retain his appointment for a period not to exceed  
9 2 years from the date of such separation. During such 2 year

10 period he shall be entitled to (a) prompt notice that sufficient  
11 funding in such budget item has accrued, whether by savings, sub-  
12 sequent appropriations, or otherwise, to restore him to the payroll,  
13 and (b) return to his position within 30 days of such notice.

1 SECTION 3. Section 58 of Chapter 218, as appearing in the  
2 2000 Official Edition, is hereby amended by inserting after the  
3 words “two hundred and eleven B”, in line 61, the following  
4 words:—

5 Any assistant clerk magistrate who is separated from the pay-  
6 roll due solely to insufficient appropriations to the budget item  
7 funding his position shall be given 30 days’ advance notice of  
8 layoff and shall retain his appointment for a period not to exceed 2  
9 years from the date of such separation. During such 2 year period  
10 he shall be entitled to (a) prompt notice that sufficient funding in  
11 such budget item has accrued, whether by savings, subsequent  
12 appropriations, or otherwise, to restore him to the payroll, and (b)  
13 return to his position within 30 days of such notice.

1 SECTION 4. Section 11 of chapter 185C, as appearing in the  
2 2000 Official Edition (2001 Supp.), is hereby amended by  
3 inserting after the last sentence, the following words:—

4 Any assistant clerk magistrate who is separated from the pay-  
5 roll due solely to insufficient appropriations to the budget item  
6 funding his position shall be given 30 days’ advance notice of  
7 layoff and shall retain his appointment for a period not to exceed 2  
8 years from the date of such separation. During such 2 year period  
9 he shall be entitled to (a) prompt notice that sufficient funding in  
10 such budget item has accrued, whether by savings, subsequent  
11 appropriations, or otherwise, to restore him to the payroll, and (b)  
12 return to his position within 30 days of such notice.

1 SECTION 5. The provisions of this act shall apply to any assis-  
2 tant clerk magistrate who may have been separated from the pay-  
3 roll due solely to insufficient appropriations at any time after  
4 January 1, 2002.